

E-filed 2/24/06

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 9 Counter-Defendant M. DIANE KOKEN

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION

13 M. DIANE KOKEN,
 14 Plaintiff,
 15 v.
 16 STATECO INC. et al.,
 17 Defendant.

Case No.: 3:05-CV-03007-JF

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING HEARING
 DATE FOR KOKEN'S MOTION TO
 DISMISS TO MARCH 31, 2006**

18 AND RELATED CROSS-ACTION

20
 21 Pursuant to Local Rules 6-1 and 6-2, defendants and counter-complainants
 22 Stateco Inc., doing business as Stateco Insurance Services, and Thomas Natoli
 23 (collectively "Stateco"), and plaintiff and specially-appearing counter-defendant M. Diane
 24 Koken, ("Koken") by and through their undersigned counsel, hereby stipulate as follows:

- 25 1. WHEREAS Koken filed a motion to dismiss Stateco's counterclaims
 26 ("Motion to Dismiss") on January 5, 2006;
 27 2. WHEREAS the hearing for the Motion to Dismiss is currently scheduled for
 28 February 24, 2006;

1 3. WHEREAS Anthony Twardowski, counsel for Koken who intends to argue
2 the Motion to Dismiss, is unable to attend the hearing due to an unexpected and serious
3 medical issue;

4 4. WHEREAS counsel for Koken and Stateco have met and conferred
5 regarding continuing the hearing date to March 31, 2006 at 9:00 a.m.;

6 5. WHEREAS continuing the hearing date will not affect any other Court-
7 ordered deadlines;

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MORGENSTEIN & JUBELIRER LLP
ATTORNEYS AT LAW
SAN FRANCISCO

1 IT IS PROPOSED AND STIPULATED:

2 1. The hearing date for Koken's Motion to Dismiss will be continued from
3 February 24, 2006 to March 31, 2006 at 9:00 a.m.

4 IT IS SO STIPULATED.

5 DATED: February 22, 2006

BERLINER COHEN

6
7 By Laura Palazzolo
8 Laura Palazzolo
9 Attorneys for Defendants and Counter-
10 Complaintants STATECO INC., dba
STATECO INSURANCE SERVICES and
THOMAS NATOLI

11
12 DATED: February 22, 2006

MORGENSTEIN & JUBELIRER LLP

13
14 By A. Leight
15 Adrienne S. Leight
16 Attorneys for Plaintiff and Specially
Appearing Counter-Defendant M. DIANE
KOKEN

17
18 IT IS SO ORDERED

19 For good cause shown, it is so ordered.

20 DATED: 2/24, 2006

21
22 By Jeremy Fogel
23 Jeremy Fogel
24 United States District Court Judge